

EMILY GRAY RICE  
Bernstein, Shur, Sawyer & Nelson, P.A.  
670 North Commercial Street, Suite 108  
PO Box 1120  
Manchester, NH 03105  
erice@bernsteinshur.com  
(603) 623-8700

## EDUCATION

**Northeastern University School of Law**, Boston, MA; J.D., May 1984: Teaching Assistant, Legal Practice Course, 1983-1984.

**Boston University**, Graduate School of Arts and Sciences, Boston, MA; M.A., Political Science, January 1979.

**Boston University**, College of Liberal Arts, Boston, MA; B.A., cum laude, Philosophy and Political Science, May 1977; Teaching Assistant, Department of Sociology, 1975-1977.

**United States Department of Justice, Graduate**, Attorney General's Advocacy Institute, Appellate Advocacy Course.

## BAR MEMBERSHIP

New Hampshire, United States District Court for the District of New Hampshire, United States Court of Appeals for the First Circuit.

## LEGAL WORK EXPERIENCE

**Bernstein, Shur, Sawyer & Nelson, P.A.**, Manchester, NH; Shareholder, August 2012-Present.

**Orr & Reno, P.A.**, Concord, NH; Shareholder, February 2001-August 2012.

**Dean, Rice & Kane, P.A.** (f/k/a Dean, Rice & Howard, P.A.; and Broderick & Dean, P.A.), Manchester and Concord, NH; Associate, February, 1993 – December, 1994; Shareholder, January 1995-February, 2001.

**New Hampshire Attorney General's Office**, Bureau of Civil Law, Concord, NH; September, 1984-February, 1993.

Provided legal advice and representation to state agencies and officials. Responsibilities included representation of the state before federal and state trial and appellate courts, and administrative tribunals; client counseling and preparation of written opinions; drafting of legislation, and of administrative rules and decisions; legislative testimony; and participation in civil and criminal investigations. From December 1989 until I left the office in February 1993, I served as a Senior Assistant Attorney General and chief of the Bureau of Civil Law, responsible for the management and supervision of the Bureau's operations and staff, which included approximately fifteen attorneys and paralegals and six clerical staff, and which represented over one hundred state boards and agencies.

## PROFESSIONAL RECOGNITION

- AV-Rated, Martindale Hubbell
- Marilla Ricker Award, New Hampshire Women's Bar Association.
- Donald E. Dufresne Award for Outstanding Professionalism, New Hampshire Bar Association.
- Honorary Fellow, New Hampshire Bar Foundation.
- Recognized in Chambers, U.S.A., America's Leading Business Lawyers, for commercial litigation and employment law.
- Recognized as a Super Lawyer for professional malpractice defense.
- Recognized in the Best Lawyers in America, for legal malpractice defense.
- Recognized in Benchmark for litigation and in Benchmark Top 250 Women Litigators.

## COMMUNITY AND PROFESSIONAL ACTIVITIES

- Co-Chair, State of New Hampshire Judicial Selection Commission (Governor Hassan and Governor Lynch)
- Adjunct Professor of Law, UNH School of Law, Pretrial Advocacy and Trial Advocacy, Daniel Webster Scholars Program
- Trustee, Capitol Region Food Program
- Board Member, City Year New Hampshire
- Former Co-Chair, New Hampshire Legal Services Campaign
- Former Chair, Advisory Committee on Rules, United States Court of Appeals for the First Circuit
- Member, Advisory Committee on Rules, New Hampshire Supreme Court
- Former Member, New Hampshire Judicial Branch Committee on Alternative Dispute Resolution Services
- Member, Subcommittee on Local Rules to the Federal Court Advisory Committee, United States District Court for the District of New Hampshire
- Former Chair, Board of Directors, Red River Theatres, LLC
- Member, Distinguished Fellow and Former Chair, Board of Directors, New Hampshire Bar Foundation
- Former Member, Civil Justice Reform Act Advisory Panel United States District Court for the District of New Hampshire
- Former Member, Magistrate Judge Merit Selection Panel, United States District Court for the District of New Hampshire
- Former Member, Ballot Law Commission, State of New Hampshire

## REPORTED CASES:

- Jakobiec v. Merrill Lynch Life Insurance Co., 711 F.3d (1<sup>st</sup> Cir. 2013).
- Massachusetts v. United States Department of Health and Human Services, 682 F.3d 1 (1<sup>st</sup> Cir. 2012) (Amicus Curiae).
- Burke v. Pierro, 159 N.H. 504 (N.H. 2009).
- Weber v. Sanborn, 526 F.Supp.2d 135 (D. Mass. 2007).
- Weber v. Sanborn, 502 F.Supp.2d 197 (D. Mass. 2007).
- RCK Modular Homes v. George, 363 B.R. 29 (D.N.H. 2007).
- Milliken, et al. v. Dartmouth-Hitchcock Clinic, et al., 154 N.H. 662 (N.H. 2006).
- WMUR v. New Hampshire Department of Fish and Game, 154 N.H. 46 (N.H. 2006).
- Greenhalgh v. Presstek, 152 N.H. 695 (N.H. 2005).
- Kelleher v. Marvin Lumber, 152 N.H. 813 (N.H. 2005).
- Pimental v. Dartmouth-Hitchcock Clinic, 236 F.Supp.2d 177 (D.N.H. 2002).
- In re Haines, 148 N.H. 380 (N.H. 2002).
- Wong v. Ekberg, 148 N.H. 369 (N.H. 2002).

- Summit Packaging Systems, Inc. v. Kenyon & Kenyon, 273 F.3d 9 (1<sup>st</sup> Cir. 2001).
- Ross v. Home Ins. Co., 146 N.H. 468 (N.H. 2001).
- Energy North Natural Gas, Inc. v. Associated Elec. & Gas Ins. Services, Ltd., 21 F.Supp. 2d 89 (D.N.H. 1998).
- Holden Engineering & Surveying, Inc. v. Law Offices of Raymond P. D'Amante, P.A., 142 N.H. 213 (N.H. 1997).
- Kenerson v. F.D.I.C., 44 F.3d 19 (1<sup>st</sup> Cir. 1995).
- Appeal of Campaign for Ratepayers' Rights, 137 N.H. 707 (N.H. 1993).
- Elliott v. Cheshire County, 940 F.2d 7 (1<sup>st</sup> Cir. 1991).
- N.H. Mun. Trust Workers' Compensation Fund v. Flynn, 133 N.H. 17 (N.H. 1990).
- Lyons v. Powell, 729 F.Supp. 1404 (D.N.H. 1989).
- Petition of Strandell, 132 N.H. 110 (N.H. 1989).
- Appeal of Westwick, 130 N.H. 618 (N.H. 1988).
- In re New Hampshire Disabilities Rights Center, Inc., 130 N.H. 328 (N.H. 1988).
- Lyons v. Powell, 838 F.2d 28 (1<sup>st</sup> Cir. 1988).
- Harry P. v. Sheridan, 129 N.H. 391 (N.H. 1987).
- Edward B. v. Paul, 814 F.2d 52 (1<sup>st</sup> Cir. 1987).
- In re David B., 127 N.H. 772 (N.H. 1986).
- In re Melissa M., 127 N.H. 710 (N.H. 1986).

## **LAW SCHOOL WORK EXPERIENCE**

**Greater Boston Legal Services**, Boston, MA; Law Clerk, March 1984-June 1984.

**Craig and Macauley**, Boston, MA; Law Clerk, September 1983-December 1983.

**Burns and Levinson**, Boston, MA; Law Clerk, March 1983-June 1983.

**Shavelle, Shavelle and Gittes**, Boston, MA; Law Clerk, (part-time), Summer 1983.

**Office of the Bar Counsel, Massachusetts Board of Bar Overseers**, Boston, MA; Law Clerk, September 1982-December 1982.

**Professor Daniel J. Givelber**, Northeastern University School of Law, Boston, MA; Research Assistant, (part-time), Summer 1982, and December 1982-August 1983.

**Center for Applied Social Research**, Northeastern University, Boston, MA; Research Assistant, (part-time), September 1981-May 1982.

## **WORK EXPERIENCE BEFORE LAW SCHOOL**

**United Way of the St. Paul Area**, St. Paul, MN; Associate Campaign Director, January 1980-June 1981; Special Projects Director, June 1979-December 1979.

**W.K. Kellogg Foundation Fellow, United Way of America Internship Program**, June 1978-May 1979;

**United Way of the Spokane Area**, Spokane, WA; Campaign Associate, July 1978-December 1978;

**United Way of the St. Paul Area**, St. Paul, MN; Planning Associate, January 1979-May 1979.